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Azerbaijan 2020

The civilian population suffered widespread human rights abuses as a result of heavy fighting that erupted between Azerbaijan and Armenian forces in Nagorno-Karabakh in September. Conflict-related violence led to deaths, injuries, destruction of livelihoods and displacement. Authorities intensified a clampdown on dissent using the conflict with Armenia and the COVID-19 pandemic as a pretext. Dozens of opposition leaders and activists were arbitrarily arrested and detained. Freedoms of assembly and expression were further restricted in response to growing public discontent; freedom of association remained curtailed. Lawyers were harassed and reports of torture and other ill-treatment of government critics in detention remained widespread.

Indiscriminate attacks

On 27 September, heavy fighting erupted between Azerbaijan and Armenia and Armenian-supported forces in Azerbaijan's break-away region of Nagorno-Karabakh. All sides of the conflict used heavy explosive weapons with wide-area effects in densely populated civilian areas, including ballistic missiles and notoriously inaccurate rocket artillery salvos, causing civilian deaths, injuries and widespread damage to civilian areas. Verified evidence indicated that both sides used cluster munitions, which is banned under international humanitarian law, including in the attack on Stepanakert/Khankendi, capital of Nagorno-Karabakh region, on 4 October, and on the city of Barda in an area under Azerbaijan government control, on 28 October (see Armenia entry).

War crimes

War crimes were committed by Azerbaijani forces in Nagorno-Karabakh. Several verified videos depicted the mistreatment of prisoners of war and other captives, decapitations, and desecration of the dead bodies of enemy soldiers.¹

Freedom of expression

The authorities intensified their crackdown as increasing numbers of people voiced their discontent in the streets, through social media and other means.

More than a dozen individuals, including journalists and opposition activists who criticized the authorities' handling of the pandemic, were sentenced to so-called “administrative detention” of between 10 and 30 days on bogus charges, including disobeying police orders or breaking the rules of lockdown.

The authorities intensified arrests on politically motivated criminal charges. A string of arrests of government critics followed the announcement by President Ilham Aliyev on 19 March on “isolating” and “clearing” his country's opposition in the face of pandemic. On 25 March, prominent opposition activist Tofiq Yagublu was arrested on trumped-up charges of hooliganism. On 18 September, the Court of Appeals in the capital, Baku, replaced his prison sentence of four years and three months with house arrest with immediate effect. Human rights defender Elchin Mammad was arrested on 30 March on charges of theft, and sentenced to four years' imprisonment on 18 October by a court in Sumgait. Both men had publicly criticized the authorities. Farkhaddin Abbasov, an ethnic Talysh activist incarcerated for criticizing the authorities, died in prison on 9 November, allegedly as a result of suicide. By the year's end there had been no effective investigation into his death.

Harassment of the political opposition climaxed when President Ilham Aliyev blamed mass protests held on 15 July in Baku on the opposition Popular Front Party of Azerbaijan (PPFA), accusing it of staging an insurgency. Forty PPFA party activists, including four senior leaders, were detained on politically motivated charges ranging from violating public order to resisting police.

International concern over the repression of dissent continued. In January, the Council of Europe's Parliamentary Assembly condemned “retaliatory prosecutions” and a “troubling pattern of arbitrary arrest and detention of government critics”. In at least three separate cases during the year, the European Court of Human Rights (ECtHR) found political motives were behind the arbitrary detention of government critics; the cases concerned activists Bayram Mammadov and Giyas Ibrahimov, prominent human rights defenders Leyla and Arif Yunus, and investigative journalist Khadija Ismayilova.

On 4 September, the Committee of Ministers of the Council of Europe ended infringement proceedings against Azerbaijan, after the Supreme Court of Azerbaijan acquitted Ilgar Mammadov and Rasul Jafarov, two of the applicants the ECtHR had ruled were wrongfully imprisoned for their criticism of the government. Six other applicants, including prominent human rights defenders who were in the Ilgar Mammadov group of cases, were not acquitted despite the call by the Committee to quash their convictions. They continued to endure the consequences of arbitrary criminal convictions, such as travel bans and the inability to access bank accounts.

Freedom of association

Despite the commitment to simplify NGO registration requirements and streamline the receipt of foreign funding, as per an Action Plan for Open Government adopted by the Azerbaijani government in February, obstacles to officially registering independent NGOs remained in place and the arbitrary denial of registrations and grant applications continued. Independent NGOs were unable to resume their activities, while their leaders continued to face penalties arising from unfounded criminal convictions, which also prevented them from standing in elections.

Human rights lawyers continued to face harassment for performing their professional duties, affecting their independence and willingness to take on human rights cases. In June, lawyer Javad Javadov was arbitrarily reprimanded by the Bar Association in retaliation for publicizing information on social media about the alleged ill-treatment of his client Kerim Suleymanli in police custody. Also in June, the ECtHR ruled that the suspension and disbarment of prominent lawyer Khalid Bagirov for questioning the fairness of the court decision in the case of his client, had violated his right to private life and freedom of expression.

Freedom of assembly

The right to freedom of assembly remained severely restricted while protesters continued to be penalized simply for participating peacefully in public gatherings.

On 11 and 16 February, police violently broke up and dispersed protests against electoral fraud in parliamentary elections in front of the Central Election Commission in Baku, beating and arresting protesters.

On 15 July, police used excessive force to break up a demonstration begun the previous day, when thousands had gathered peacefully in front of the Parliament building in Baku to demand a stronger military response against Armenian forces following clashes at the border. The protests turned violent when a small group of protesters entered the building without permission. Police and security forces used excessive force, including water cannons, to remove the intruders and disperse the crowd outside. The clashes that ensued left several protesters and journalists injured, and police officers confiscated the equipment of some journalists covering the rally. Seventy people were detained immediately after the demonstration.

Torture and other ill-treatment

Reports of torture and other forms of ill-treatment remained widespread.

In February, ruling in the case of *Ibrahimov and Mammadov v. Azerbaijan*, the ECtHR found that the two activists “had been subjected to ill-treatment by police officers which had been aimed at forcing them to confess to serious charges”, and that the authorities had failed to effectively investigate the torture allegations.

People detained following the 15 July protests were held in crowded, hot, unventilated police detention rooms with limited food and water. They were reportedly beaten and abused while being denied access to lawyers and their families.

1. [Armenia/Azerbaijan: Decapitation and war crimes in gruesome videos must be urgently investigated \(News story, 10 December\)](#)

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